

## YOUNG CONAWAY STARGATT &amp; TAYLOR, LLP

BEN T. CASTLE  
SHELDON N. SANDLER  
RICHARD A. LEVINE  
RICHARD A. ZAPPA  
FREDERICK W. IOBST  
RICHARD H. MORSE  
DAVID C. MCBRIDE  
JOSEPH M. NICHOLSON  
CRAIG A. KARSNITZ  
BARRY M. WILLOUGHBY  
ANTHONY G. FLYNN  
JEROME K. GROSSMAN  
EUGENE A. DIPRINZIO  
JAMES L. PATTON, JR.  
ROBERT L. THOMAS  
WILLIAM D. JOHNSTON  
TIMOTHY J. SNYDER  
BRUCE L. SILVERSTEIN  
WILLIAM W. BOWSER  
LARRY J. TARABICOS  
RICHARD A. DILIBERTO, JR.  
MELANIE K. SHARP  
CASSANDRA F. ROBERTS  
RICHARD J.A. POPPER  
TERESA A. CHEEK  
NEILLI MULLEN WALSH  
JANET Z. CHARLTON

ROBERT S. BRADY  
JOEL A. WAITE  
BRENT C. SHAFFER  
DANIEL P. JOHNSON  
CRAIG D. GREAR  
TIMOTHY JAY HOUSEAL  
MARTIN S. LESSNER  
PAULINE K. MORGAN  
C. BARR FLINN  
NATALIE WOLF  
LISA B. GOODMAN  
JOHN W. SHAW  
JAMES P. HUGHES, JR.  
EDWIN J. HARRON  
MICHAEL R. NESTOR  
ROLIN P. BISSELL  
SCOTT A. HOLT  
JOHN T. DORSEY  
M. BLAKE CLEARY  
CHRISTIAN DOUGLAS WRIGHT  
DANIELLE GIBBS  
JOHN J. PASCHETTO  
NORMAN M. POWELL  
ELENA C. NORMAN  
EDMON L. MORTON  
JOHN E. TRACEY

THE BRANDYWINE BUILDING  
1000 WEST STREET, 17TH FLOOR  
WILMINGTON, DELAWARE 19801

P.O. BOX 391  
WILMINGTON, DELAWARE 19899-0391

(302) 571-6600  
(800) 253-2234 (DE ONLY)  
FAX: (302) 571-1253

110 WEST PINE STREET  
P.O. BOX 594  
GEORGETOWN, DELAWARE 19947

(302) 856-3571  
(800) 255-2234 (DE ONLY)  
FAX: (302) 856-9338

WWW.YOUNGCONAWAY.COM

DIRECT DIAL: (302) 571-6722  
DIRECT FAX: (302) 576-3455  
jkinkus@ycst.com

JOSEPH M. BARRY  
RYAN M. BARTLEY  
SEAN M. BEACH  
DONALD J. BOWMAN, JR.  
MICHELE SHERRETTA BUDICAK  
JEFFREY T. CASTELLANO  
DOUGLAS T. COATS (MD ONLY)  
KARA HAMMOND COYLE  
KRISTEN SALVATORE DEPALMA  
MARGARET M. DIBIANCA  
MARY F. DUGAN  
ERIN EDWARDS  
KENNETH J. ENOS  
KERRIANNE MARIE FAY  
JAMES J. GALLAGHER  
WILLIAM E. GAMGORT  
SEAN T. GREECHER  
NATHAN D. GROW  
STEPHANIE L. HANSEN  
JAMES L. HIGGINS  
PATRICK A. JACKSON  
DAWN M. JONES  
KAREN E. KELLER  
JENNIFER M. KINKUS  
EDWARD J. KOSMOWSKI

SPECIAL COUNSEL  
JOHN D. McLAUGHLIN, JR.  
KAREN L. PASCALE  
SETH J. REIDENBERG  
PATRICIA A. WIDDOSS

EVANGELOS KOSTOULAS  
JOHN C. KUFFEL  
TIMOTHY E. LENGKEEK  
ANDREW A. LUNDGREN  
MATTHEW B. LUNN  
ADRIA B. MARTINELLI  
KATHALEEN MCCORMICK  
MICHAEL W. MCDERMOTT  
TAMMY L. MERCER  
MARIBETH L. MINELLA  
D. FON MUTTAMARA-WALKER  
MICHAEL S. NEIBURG  
(PA & NJ ONLY)

JENNIFER R. NOEL  
ADAM W. POFF  
ROBERT F. POPPITI, JR.  
SARA BETH A. REYBURN  
CHERYL A. SANTANIELLO  
MONTÉ T. SQUIRE  
MICHAEL P. STAFFORD  
RICHARD J. THOMAS  
TRAVIS N. TURNER  
MARGARET B. WHITEMAN  
SHARON M. ZIEG

SENIOR COUNSEL  
CURTIS J. CROWTHER

OF COUNSEL  
BRUCE M. STARGATT  
STUART B. YOUNG  
EDWARD B. MAXWELL, 2<sup>ND</sup>  
JOSY W. INGERSOLL

July 11, 2008

**BY FEDERAL EXPRESS**

Mr. Jeffrey N. Lüthi  
Clerk of the Panel  
Judicial Panel on Multidistrict Litigation  
Thurgood Marshall Federal Judiciary Building  
Room G-255, North Lobby  
One Columbus Circle, N.E.  
Washington, DC 20002-8004

Re: **BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT  
LITIGATION *IN RE ASBESTOS PRODUCTS LIABILITY  
LITIGATION (NO. VI)*, DOCKET NO. MDL-875**

**NOTICE OF TAG-ALONG ACTION**

Dear Mr. Lüthi:

Attached at Tab 1 is a copy of the Complaint in *Fouts v. Airstream, et al.*, an action seeking damages for asbestos-related injuries filed in the Superior Court of Delaware, New Castle County, Case No. 08C-05-163 ASB. *Fouts* was removed to the United States District Court for the District of Delaware. A copy of the Notice of Removal is attached at Tab 2. *Fouts* is related to and shares common issues of the fact with the actions in *In Re Asbestos Products Liability Litigation*, Docket No. MDL-875 ("MDL-875"), which were transferred to the Eastern District of Pennsylvania before the Honorable James T. Giles, pursuant to the Panel's Order and Opinion of July 29, 1991. *In re Asbestos Products Liability Litigation (No. VI)*, 771 F. Supp. 415 (J.P.M.L. 1991).

YOUNG CONAWAY STARGATT & TAYLOR, LLP

Mr. Jeffrey N. Lüthi

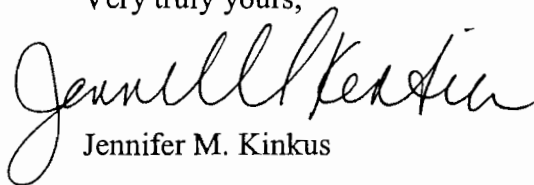
July 11, 2008

Page 2

*Fouts* involves common issues of fact with and is related to the actions in MDL-875 in a number of respects. First and most importantly, the causes of action in *Fouts* are based on the same factual predicates as other actions in MDL-875 – namely, allegations of asbestos-related disease or injury stemming from exposure to asbestos in products and on premises and inhalation of asbestos fibers. Second, based on these allegations, *Fouts* asserts the same causes of action as the plaintiffs in MDL-875 including, negligence and strict liability. Third, like the plaintiffs in MDL-875, Plaintiffs in *Fouts* seek to recover compensatory damages for asbestos-related disease or injury. For these reasons, discovery in *Fouts* would be streamlined and conducted more efficiently through the coordinated multidistrict discovery process already in place in MDL-875 governing the same types of asbestos allegations, claims and damages. Accordingly, pursuant to R.P.J.P.M.L. 7.2(i), 7.3(a), 7.4 and 7.5(e), Defendant Viad Corp hereby notifies the Panel that *Fouts* is pending in federal court and should be transferred to the Eastern District of Pennsylvania to become part of MDL-875.

If you have any questions, please do not hesitate to contact me at the above telephone number.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jennifer M. Kinkus", is written over the typed name.

Jennifer M. Kinkus

JMK:lbc

Attachments

cc: United States District Court, District of Delaware (via hand delivery only)  
All Counsel of Record in *Fouts* (See Tab 3) (via mail only) (w/o encl.)